

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03

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FM AMEMBASSY BONN

TO SECSTATE WASHDC 2045

INFO USMISSION USBERLIN

USMISSION NATO BRUSSELS

AMEMBASSY BERLIN

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

C O N F I D E N T I A L BONN 16015

E.O. 11652: GDS

TAGS: PGOV, WB, SU

SUBJECT: SOVIET PROTESTS OF AUGUST 26 ON FRG ACTIVITIES
IN BERLIN

REFS: (A) BONN 15261; (B) USBER 1784; (C) BONN 14647;

(D) USBER 1828

SUMMARY: BONN GROUP HAS REACHED AD REF AGREEMENT ON
REPLY TO THE SOVIET PROTEST ON VOGEL PARTICIPATION IN
INDUCTION CEREMONY IN BERLIN. END
SUMMARY.

1. BONN GROUP REACHED AD REFERENDUM AGREEMENT ON THE
TEXT OF AN ALLIED REPLY TO THE AUGUST 26 SOVIET PROTEST
ON JUSTICE MINISTER VOGEL'S PARTICIPATION IN THE
INDUCTION CEREMONY FOR THE NEW PRESIDENT OF THE FEDERAL
ADMINISTRATIVE COURT IN BERLIN. APPROVAL BY ALLIES WAS
AD REF. FRG APPROVAL WAS FINAL ACCORDING TO FRG REP
(HENZE).

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2. BEGIN TEXT:

WITH RESPECT TO YOUR STATEMENT OF AUGUST 26, I HAVE BEEN ASKED TO ADVISE YOU ON BEHALF OF THE THREE ALLIED GOVERNMENTS THAT FEDERAL JUSTICE MINISTER VOGEL DID, AS REPORTED IN THE PRESS, PARTICIPATE IN THE CEREMONIES MARKING THE ASSUMPTION OF OFFICE OF THE NEW PRESIDENT OF THE BUNDESVERWALTUNGSGERICHT AUGUST 19. HIS PARTICIPATION WAS, HOWEVER, OF A CEREMONIAL NATURE WITH NO LEGAL EFFECT AND CONSEQUENTLY COULD NOT CONSTITUTE AN ACT IN EXERCISE OF DIRECT STATE AUTHORITY OVER THE WESTERN SECTORS OF BERLIN. THERE WAS, THEREFORE, NO CONSTITUTIONAL OR OFFICIAL ACT WHICH CONTRADICTED THE PROVISIONS OF THE QA.

END TEXT.

3. ACTION REQUESTED: THAT THE DEPARTMENT APPROVE TEXT IN PARA 2 ON VOGEL PROTEST AND TEXT IN PARA 3 OF REF A ON SAARLAND CDU PROTEST. WE WOULD ASSUME THAT REPLIES TO BOTH PROTESTS SHOULD BE MADE SIMULTANEOUSLY IN BERLIN BY CHAIRMAN POLAD.
HILLENBRAND

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Message Attributes

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Disposition Authority: ElyME
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Margaret P. Grafeld
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